Iowa Community Colleges' Uniform Policy on Student Residency Status

Section 1—General

A person who has been admitted to an lowa community college shall be classified as a resident or as a non-resident for admission, tuition, and fee purposes. A person classified as a resident shall pay resident tuition costs. A person classified as a non-resident shall pay non-resident tuition costs. Tuition for non-residents should not be less than the marginal cost of instruction of a student attending the college. *Iowa Code section 260C.14 (2).*

Persons who register for non-credit continuing education courses shall be charged course fees determined on course costs and by market demand.

Section 2—Determination of Residency Status

In determining a community college resident or non-resident classification, the primary determination is the reason a person is in the state of lowa. The second determination will be the length of time a person has resided in lowa. If a person is in the state primarily for educational purposes, that person will be considered a non-resident. The burden of establishing the reason a person is in lowa for other than educational purposes rests with the student.

A. The registrar or official designated community college office may require written documents, affidavits, or other related evidence deemed necessary to determine why a student is in Iowa. The burden of proof is upon the student.

A student will be required to file at least two documents to determine his/her residency status. No two documents may come from the same source. The following are examples of acceptable documentation.

- Written and notarized documentation from an employer that the student is employed in lowa or a signed and notarized statement from the student describing employment and sources of support.
- 2. Iowa state income tax return.
- An lowa driver's license.
- 4. An lowa vehicle registration card.
- 5. An lowa voter registration card.
- 6. Proof of Iowa Homestead credit on property taxes.

In all events to be determined a resident of lowa, the individual must document residing in the state of lowa for at least 90 days prior to the beginning of the term for which he/she is enrolling.

- B. If a student gives misleading or incorrect information for the purpose of evading payment of non-resident fees, he or she must pay the non-resident fees for each term the student was not officially classified as a non-resident.
- C. These regulations shall be administered by the registrar or office staff designated by the community college. Resident and non-resident tuition rates shall be printed and available in the catalog or another major college publication.

Section 3—Residency of Minor Students

The domicile of a minor shall follow that of the parent with whom the minor resides except where emancipation of said minor can be proven. The word "parent" herein used shall include legal guardian or others in cases where the lawful custody of a minor has been awarded to persons other than actual parents.

A minor living with a resident of Iowa who is legally responsible for the minor shall be granted resident status if the minor has lived with the Iowa resident for at least 90 days immediately prior to enrollment.

The residency status of an emancipated minor shall be based upon the same qualifications established for a person having attained majority.

Section 4—Residency of Students who are not Citizens of the United States

- A. A person who is a refugee or who is granted asylum by an appropriate agency of the United States must provide proof of certification of refugee or asylum grantee status. A person may be accorded resident status for admission and tuition purposes when the person comes directly, or within a reasonable time, to the state of lowa from a refugee facility or port of debarkation and has not established domicile in another state.
- B. A person, who has immigrant status, and his or her spouse or dependents, may establish lowa residency in the same manner as a United States citizen.
- C. A person who has non-immigrant status and who holds a non-student visa, and his or her spouse or dependents, may establish residency in the same manner as a United States citizen. An alien who has non-immigrant status and whose primary purpose for being in lowa is educational is classified as non-resident. A "student visa" is *prima facie* evidence of non-residency. (I.e., in a rare case, a student holding the visa could overcome the presumption of non-residency.)

Section 5—Residency of Federal Personnel and Dependents

A person and his/her spouse, who has moved into the state of lowa as the result of military or civil orders from the federal government, and the minor children of such persons, are entitled to immediate lowa residency status.

<u>Section 6—Veteran's Exemption</u>

A military service veteran who was a resident of the state of lowa prior to entering the service shall be classified as a resident if the veteran returns to lowa upon separation from service and his/her separation papers are filed with the county recorder.

<u>Section 7—Reclassification of Residency Status</u>

It is the responsibility of a student to request a reclassification of residency status. If a student is reclassified as a resident for tuition purposes, such classification shall be effective beginning with the next term for which the student enrolls. In no case shall reclassification to residency status be made retroactive for tuition and fee purposes, even though the student could have previously qualified for residency status had the student applied.

Section 8—Appeal

The decision on the residency status of a student for admission, tuition, and fee purposes may be appealed to a review committee established by the community college. The findings of the review committee may be appealed to the community college board, whose decision shall be a final administrative decision.